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Attorney for Plaintiff
D.J.

IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

D.J., a minor, by and through his
Guardian Ad Litem KASRA and EDNA
RAHIMI,

Plaintiff,

vs.

WALNUT CREEK SCHOOL DISTRICT,
SPECTRUM, and DOES 1-10,

Defendants.

Case No.: 3:24-cv-2660-LJC

**JOINT STIPULATION AND ORDER TO
CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE,
RESPONSIVE PLEADINGS, AND
RELATED DEADLINES**

Complaint: May 2, 2024
Trial Date: Not yet set

1 **WHEREAS**, Plaintiff filed the Complaint in the above-entitled matter on May 2,
2 2024;

3 **WHEREAS**, on May 8, 2024, the Court issued an Order setting the Initial Case
4 Management Conference (“Initial CMC”) for August 8, 2024, and related deadlines.

5 **WHEREAS**, on August 8, 2024, the Court vacated the initial case management
6 conference and issued a new Order rescheduling the Initial CMC for September 12,
7 2024. The Court ordered that all related deadlines be adjusted accordingly.

8 **WHEREAS**, on August 20, 2024, Plaintiff sent the Complaint and request for
9 Waiver of Service to counsel for Defendant WALNUT CREEK SCHOOL DISTRICT.

10 **WHEREAS**, Defendant WALNUT CREEK SCHOOL DISTRICT agreed to the
11 Waiver of Service and has until October 18, 2024 to respond to Plaintiff’s Complaint.

12 **WHEREAS**, there has been no prior stipulation of the Parties to continue the
13 initial CMC.

14 **WHEREAS**, Defendant SPECTRUM has not yet been served.

15 **WHEREAS, pursuant to Local Rule 6-2**, the Parties stipulate to a request for
16 an order changing the date and time for the Initial Case Management Conference from
17 September 12, 2024 to December 12, 2024, or any date thereafter that is available on
18 the Court’s calendar. The Parties further stipulate to a request for an order changing the
19 date to file the Joint Case Management Statement to December 5, 2024, or any date
20 thereafter that is convenient for the Court. The Parties further stipulate to continue the
21 current deadline to meet and confer regarding initial disclosures, early settlement, ADR
22 process selection and discovery plan to November 22, 2024, or after the court rules on
23 Defendant WALNUT CREEK SCHOOL DISTRICT’s motion to dismiss.

24 Good cause exists to change the date of the Initial Case Management
25 Conference and the related deadlines. The Parties have agreed to engage in informal
26 settlement negotiations and attempt to reach an early resolution of the entire case
27 Defendant WALNUT CREEK SCHOOL DISTRICT intends to file a Motion to Dismiss
28 the Complaint pursuant to Fed. Rules Civ. Proc. Rule 12(b)(6). Should the Parties be

unable to resolve the matter informally, Defendant WALNUT CREEK SCHOOL DISTRICT anticipates to file the motion no later than October 18, 2024, which motion will then be set for hearing no earlier than November 12, 2024. See Local Rule 7-2(a) (motion must be noticed no less than 35 days after filing). A dismissal of any of Plaintiff's claims would significantly narrow the scope of discovery. An extension of the Initial Case Management Conference would therefore preserve both party and judicial resources and is reasonable in light of the Parties' mutual agreement. This request would not otherwise affect the case schedule.

Dated: September 11, 2024

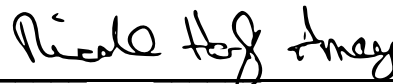
LEONE ALBERTS & DUUS, APC



BRIAN A. DUUS, ESQ.
LILIAN R. WINTERS, ESQ.
Attorneys for Defendant WALNUT CREEK
SCHOOL DISTRICT

Dated: September 11, 2024

LAW OFFICES OF NICOLE HODGE AMEY



NICOLE HODGE AMEY, ESQ.
Attorney for Plaintiff

ORDER

THE STIPULATION AS DRAFTED IS SO ORDERED.

DATED: September 11, 2024



JUDGE OF THE NORTHERN DISTRICT OF
CALIFORNIA